

**United States District Court
Northern District of New York**

JUDGMENT

ANTHONY MASSARO

Plaintiff

VS.

5:06-CV-1516 (NAM) (DEP)

NEW YORK STATE

Defendant

[X] Decision by Court. This action came to trial or hearing before the Court.
The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the plaintiff's in forma pauperis application is granted, further ordered that the complaint is dismissed without prejudice for failure to state a claim upon which relief may be granted.

All of the above pursuant to the Order of the Honorable Chief Judge Norman A. Mordue dated the 22nd day of February, 2007.

FEBRUARY 22, 2007

DATE

LAWRENCE K. BAERMAN

CLERK OF COURT

s/

**JOANNE BLESKOSKI
DEPUTY CLERK**